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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,323	03/26/2004	Tomoyoshi Mitsumoto	1110-0318P	1240

2292 7590 11/06/2006

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
LEE, SIN J	

ART UNIT	PAPER NUMBER
1752	

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

C

Office Action Summary	Application No.	Applicant(s)	
	10/809,323	MITSUMOTO ET AL.	
	Examiner	Art Unit	
	Sin J. Lee	1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 12-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1,2 and 18* is/are allowed.

6)☒ Claim(s) *12-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 3-11, 19 and 20 are canceled claims.

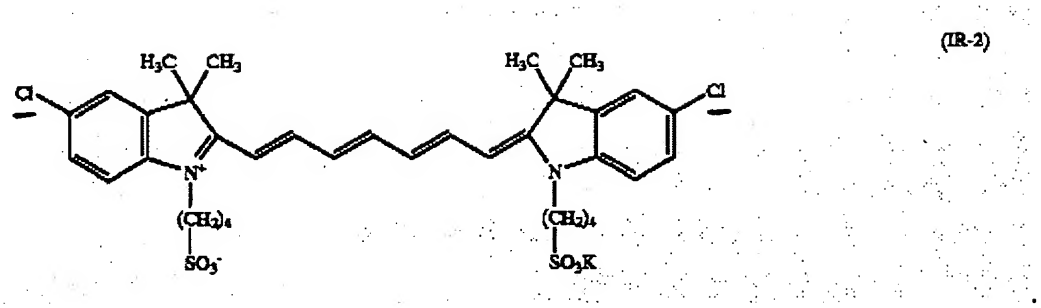
2. In view of the amendment of October 16, 2006, previous 102(b) rejection on claims 1 and 2 over Shimada et al'288 is hereby withdrawn.

3. Due to new grounds of rejections, the following rejections are made non-final (with the Examiner's sincere apology).

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 12-17 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hoshi et al (US 2002/0177074 A1).

Hoshi forms a planographic printing plate precursor containing a photosensitive layer on an aluminum plate by using a composition, which comprises an infrared absorbent (one of the compounds listed in Table 1), a radial polymerization initiator and a radical polymerizing compound. See [0144]-[017]. After exposing the photosensitive layer of the planographic printing plate precursor to infrared light, the planographic printing plate is set in a printing machine, and printing is carried out using an oil base ink and a 1% aqueous solution of dampening water (see [0148]-[0151]). Hoshi also teaches that alternatively, the planographic printing plate precursor can be set in the printing machine first and exposed in the machine and then printing can be carried out in this state (see [0129]). In Table 1, Hoshi teaches the use of IR-7 or IR-9 as the infrared absorbent. Those compounds are taught to be equivalent to IR-2 shown below (see [0031]);

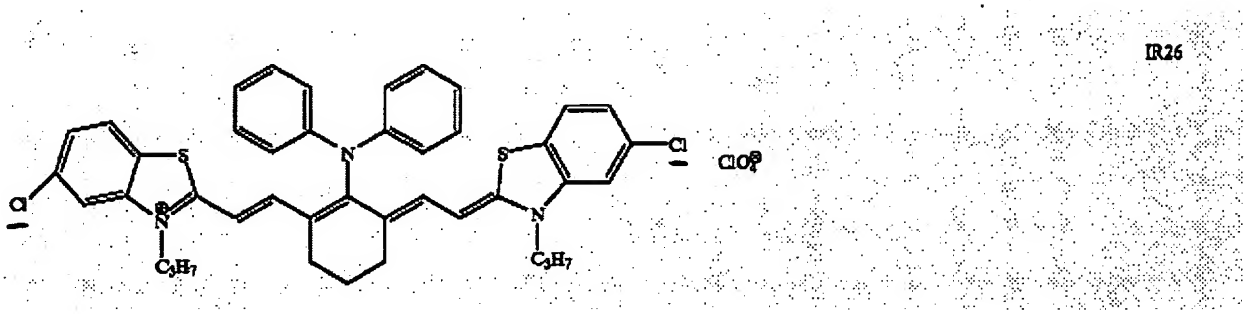


Since there are only eleven IR compounds shown in [0031], one skilled in the art would immediately envisage using IR-2 as Hoshi's infrared absorbent. Alternatively, it would have been obvious to one skilled in the art to use IR-2 as Hoshi's infrared absorbent with a reasonable expectation of obtaining a planographic printing plate which does not require wet-type developing. Therefore, Hoshi teaches or alternatively, renders obvious present inventions of claims 12-17.

6. Claims 12-17 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Yanaka et al (US 2002/0102488 A1).

In Example 1 (see Table 1, [0133]-[0134]), Yanaka et al teaches an image-forming composition containing fine particles (1), which comprises radical polymerizable group-containing Polymer P-1, an infrared absorber IR-24 and a radical-generating agent. Yanaka coats the composition on a support to prepare a lithographic printing plate precursor. The precursor is exposed by an infrared semiconductor laser, and without development processing, mounted on a cylinder of a printing machine (Yanaka also teaches that the printing plate precursor can be, after mounting on a printing machine cylinder, exposed by a laser and then subjected to on-machine development by supplying a fountain solution and ink – see [0114]). After supplying a fountain

solution and printing ink, paper is fed to conduct printing (see [0153]-[0155]). Yanaka also teaches the equivalence of IR-24 and IR26 or IR29 (as shown below) in [0075];



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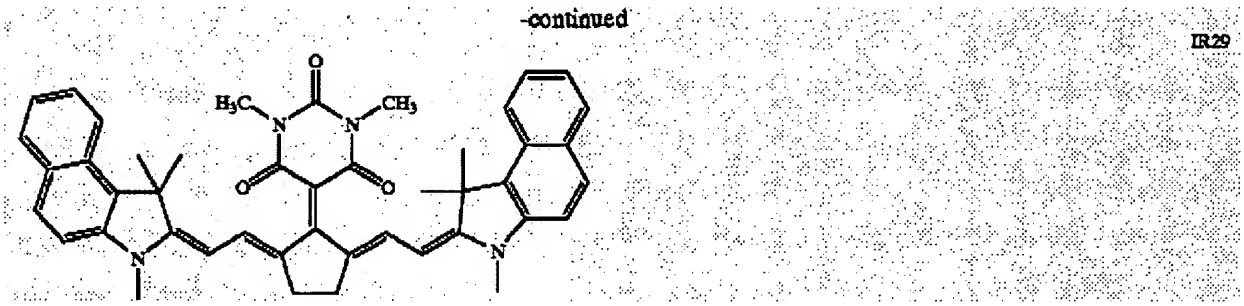

(the IR 29 is also shown in present specification – see IR-1 on pg.57).

Since there are only eleven examples shown in [0075], one skilled in the art would immediately envisage using IR26 or IR28 as Yanaka's infrared absorber. Alternatively, it would have been obvious to one skilled in the art to use IR26 or IR29 as Yanaka's infrared absorber with a reasonable expectation of obtaining a lithographic printing plate precursor having high sensitivity and good press life. Therefore, Yanaka teaches or alternatively, renders obvious present inventions of claims 12-17.

Allowable Subject Matter

7. Claims 1, 2 and 18 are allowed. None of the cited prior arts teaches or suggest present undercoat layer containing a compound having a polymerizable group on the molecule, which also has on the molecule an ethylene oxide group.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Lee
November 1, 2006

Sin Lee
PRIMARY EXAMINER